

REMARKS

Reconsideration is requested.

By this response, claims 29 and 35-37 have been amended, and new claim 38 has been added. Thus, claims 29-38 are in the application for consideration.

In the instant Office Action, claims 35 and 37 were objected to but were indicated to be allowable if rewritten to overcome the objections; claim 36 stands rejected under 35 U.S.C. 112, second paragraph, for indefiniteness; claims 29-34 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Arends (4,173,161) in view of Wittek (1,796,417).

The paragraph beginning on page 16 beginning at line 12 has been amended to update the patent application information disclosed therein. No new matter is added.

Claims 35 and 37 have been amended, as suggested by the Examiner, to overcome the minor objections set forth in the Office Action. Accordingly, claims 35 and 37 are believed to be in condition for allowance.

Claim 36 has been amended to more clearly define Applicant's invention. Specifically, amended claim 36 recites that the article centering and severing device further comprises individual punches and corresponding die members, wherein the further centering of the web depends on contour features of the individual punches configured to coact in combination with shape of in-molded articles in the web to laterally further

align the articles relative to each respective punch and the corresponding die members. Further details and support to claim 36 may be found at least at Figure 2, and page 21, lines 5-15 of the present specification as originally filed.

In view of the above, Applicant submits that claim 36 is definite and overcomes the rejection set forth under 35 U.S.C. §112, second paragraph. Withdrawal of rejection of claim 36 is respectfully urged.

Rejections Under 35 U.S.C., §103

Claims 29-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Arends* in view of *Wittek*.

The Office Action while acknowledging that *Arends* fails to teach the web conveyor having a drive motor, a drive wheel, and a follower wheel, a knock lever mechanism having a knock lever arm as in claim 29, asserts that *Wittek* cures such deficiencies, and therefore it is asserted that a combination of *Arends* and *Wittek* would teach all elements of claim 29. Amended claim 29 is patentably distinct over *Arends* and *Wittek* in view of the following:

Claim 29 recites, in part, a knock lever mechanism having a knock lever arm configured to carry at least one of the drive wheel and the follower wheel, the knock lever arm configured to engage a platen as the treadle is moved relative to the platen during a severing operation so as to move the one of the drive wheel and the follower wheel away from another of the drive

wheel and the follower wheel to open up a gap therebetween and release a respective edge of the web during such severing operation to facilitate alignment and centering of the web and articles carried by the web.
(Emphasis added)

Arends discloses a trim press for severing cup-shaped articles from a sheet of thermoplastic material in which the articles have been integrally formed. The Office Action correctly notes Arends' deficiencies. In addition to such deficiencies, Arends further fails to teach or suggest creating a gap between drive and follower wheels to release an edge of the web during a severing operation to facilitate alignment and centering of the web and articles carried by the web.

Wittek merely discloses an automatic feed for a punch press. Firstly, Wittek fails to teach or suggest a knock lever mechanism configured to carry at least one of the drive wheel and the follower wheel as recited in claim 29. The alleged knock lever arm of Wittek does not carry any of the wheels 21, 22. Wittek's lifting arm 43 contacts roller 22 only when releasing screw 44 engages the lifting arm 43 to arrest advancement of the stock of material. At all other times, the lifting arm 43 does not contact the roller 22. See Wittek's page 2, lines 87-95. Therefore, Wittek fails to teach or suggest a knock lever mechanism having a knock lever arm that is configured to carry at least one of the drive wheel and the follower wheel as in claim 29.

Secondly, Wittek fails to teach or suggest moving one of the drive wheel and the follower wheel away from another of the drive wheel and the

follower wheel to open a gap therebetween and release a respective edge of the web during a severing operation as recited in claim 29. Wittek's releasing of the rolls 21, 22 from frictional contact with the stock 33 is performed to arrest movement of the stock 33 during a punching operation. See Wittek's page 2, lines 60-65. Wittek does not even contemplate opening the gap between the rollers to facilitate alignment and centering of the web and articles carried by the web.

The Office Action asserts that "it would have been obvious...to employ a web conveyor assembly and a knock lever mechanism as taught by Wittek on the device of Arends as an alternative structure for advancing of the workpiece." For argument purposes, even assuming that such advancement of the web may be achieved, it still does not teach or suggest all the elements of claim 29 which recites an article centering and severing device and a novel structure to release a web during a severing operation to facilitate alignment and centering of the web and articles carried by the web.

It would not be obvious to combine Arends with Wittek because 1) there is no teaching or suggestion in the references that would lead one of ordinary skill in the art to combine the references in the manner suggested by the Examiner; and 2) even if the references could be combined, the resulting product still would not have all the elements of the combination recited in the claim 29, as demonstrated above.

There is no teaching or suggestion as to what components of Wittek should be selected and somehow combined with components of Arends.

There are no teachings in the references themselves which teach that there would be any advantage resulting from selecting Wittek's structure and integrating that structure somehow into the structure of Arends. If one of ordinary skill in the art were given Arends and Wittek, but not applicant's disclosure, a resulting combination would not be claim 29. It would require impermissible hindsight to combine the references to arrive at the claimed invention. Even if the references are combined, it would still not result in claim 29.

In view of the above, it is respectfully submitted that claim 29 is patentably distinct over the combination of Arends and Wittek. Withdrawal of this rejection is respectfully requested.

As claims 30-31 depend from claim 29, they too are allowable.

Claim 32 recites, in part, a knock lever mechanism having a knock lever arm..., wherein one of the drive wheel and the follower wheel is moved away from another of the drive wheel and the follower wheel to open up a gap therebetween in order to release a respective edge of the web during the severing operation to facilitate lateral alignment of the web and articles carried by the web. (Emphasis added)

Applicant's arguments made above with respect to claim 29 are also applicable to claim 32 which is believed to be patentably distinct for its own independently recited features. Withdrawal of rejection of claim 32 is respectfully requested.

As claims 33-34 depend from claim 32, they too are allowable.

New claim 38 depends from allowable claim 35. Claim 38 is therefore believed to be allowable. Such new claim finds support at least at page 21, lines 1-5 and Figure 2 of the present specification. No new matter is added by way of this amendment.

CONCLUSION

For all the reasons advanced above, Applicant respectfully submits that the application is in condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview before issuance of any such subsequent action.

Respectfully submitted,

Dated: February 19, 2004

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